

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Alexander et al.	Art Unit:	3737
Appl. No:	10/764,010	Examiner:	Jonathan Cwern
File Date:	January 22, 2004	Docket No.:	3104/109
Customer No.:	75059	Conf. No.:	8938
Invention:	Assessing the Condition of a Joint and Devising Treatment		

FILED BY USPTO ELECTRONIC FILING SYSTEM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

INTERVIEW SUMMARY

(37 CFR 1.333)

Dear Sir:

Applicants are appreciative for the Personal Interview of September 9, 2009 with regard to the subject application. Applicants Philipp Lang and Daniel Steines participated, as did David Cerveny and the undersigned, as counsel. Representing the Patent and Trademark Office were Examiners Jonathan Cwern and Ruth Smith. In accordance with the requirement of the Interview Summary received, the following summarizes the substance of the Interview.

Dr. Lang showed an exemplary computer simulation of how an implant is created according to an embodiment of the invention. The amendment filed by applicants on July 9, 2009 was then discussed. In particular, the amended limitation of “creating an implant” was discussed, and how this differs from U.S. Patent No. 5,682,886 (Delp et al., hereinafter Delp) in that Delp selects from a group of pre-designed implants. Furthermore, the limitation “an outer surface based on the derived information” was discussed.

Examiner Cwern agreed to take Applicant's comments into consideration when responding to the amendment.

Date: October 8, 2009

Respectfully submitted,

/Alexander J. Smolenski, Jr., #47,953/

Alexander J. Smolenski, Jr.
Registration No. 47,953
Attorney for Applicant

Sunstein Kann Murphy & Timbers LLP
125 Summer Street
Boston, MA 02110-1618
(617) 443-9292

03104/00109 1156586.1